



General Assembly

January Session, 2013

Raised Bill No. 6318

LCO No. 2677

02677____ENV

Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE CULTIVATION OF SEAWEED.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-11i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in this section:

4 (1) "Aquaculture producer" means any person who engages in the
5 controlled rearing, cultivation and harvesting of aquatic animals in
6 land-based or marine-based culture systems, tanks, containers,
7 impoundments, floating or submerged nets or pens and ponds.

8 (2) "Aquatic animals" means fresh or saltwater finfish, crustaceans
9 and other forms of aquatic life, including jellyfish, sea cucumber and
10 sea urchin, and the roe of such animals, and all mollusks, which are
11 intended for human consumption. "Aquatic animals" does not include
12 birds or mammals.

13 (3) "Aquatic plants" means fresh or saltwater algae and plants,

14 including, but not limited to, aquatic macrophyte, microalgae and
15 macroalgae (seaweed) species intended for sea vegetable, biofuel,
16 animal feed, fertilizer, medical, industrial or other commercial
17 applications.

18 (4) "Seaweed" means any species of marine macroalgae approved by
19 the Commissioner of Agriculture for cultivation in the waters of Long
20 Island Sound.

21 (5) "Seaweed producer" means any person who engages in the
22 controlled rearing, cultivation and harvesting of seaweed.

23 (b) The Commissioner of Agriculture shall license and inspect
24 aquaculture producers. The commissioner may prescribe the length of
25 term, fee and application for such license. To receive an aquaculture
26 producer license from the commissioner, each aquaculture producer
27 shall: (1) Possess a registration with the United States Food and Drug
28 Administration as a food facility, (2) meet all processing standards and
29 inspection procedures for seafood processing facilities, including, but
30 not limited to, compliance with the provisions of 21 CFR 123--Fish and
31 Fishery Products, Subpart A and the United States Food and Drug
32 Administration's Food Code, as from time to time amended, and (3)
33 pass an inspection conducted by the Department of Consumer
34 Protection prior to the issuance of such license by the commissioner.
35 The provisions of this subsection shall not apply to any seaweed
36 producer or any person who produces aquatic plants who possesses a
37 valid license issued by the commissioner.

38 (c) The Commissioner of Agriculture shall license and inspect
39 producers of aquatic plants, including, but not limited to, seaweed
40 producers. The commissioner may prescribe the length of term, fee
41 and application for such license. Prior to receiving a license from the
42 commissioner to be a seaweed producer or to produce aquatic plants,
43 an applicant shall meet processing standards, as prescribed by the
44 commissioner, and receive species approval from the commissioner.

45 [(c)] (d) The Commissioner of Agriculture, in accordance with
 46 chapter 54 and in consultation with the Commissioner of Consumer
 47 Protection, may adopt regulations to implement the provisions of this
 48 section.

49 Sec. 2. (NEW) (*Effective from passage*) (a) The Commissioner of
 50 Agriculture may issue a nontransferable license, in the name of the
 51 state, under such policies as the commissioner may prescribe and for a
 52 period of not greater than five years and an annual license fee of
 53 twenty-five dollars per acre, for the planting and cultivating of
 54 seaweed in any area within Connecticut's coastal waters. Any person
 55 who has a shellfishing ground lease authorized pursuant to section 26-
 56 194 or 26-257a of the general statutes shall not be required to remit
 57 such annual license fee. Any person licensed pursuant to this section
 58 may buy, possess, ship, transport or sell seaweed that meets the
 59 applicable requirements of section 22-11h and 22-11i of the general
 60 statutes, as amended by this act, and any regulation adopted pursuant
 61 to said sections 22-11h and 22-11i. For the purpose of this section,
 62 "seaweed" means seaweed, as defined in section 22-11i of the general
 63 statutes, as amended by this act.

64 (b) The General Joint Aquaculture Programmatic Permit Process
 65 Review of the Department of Agriculture's Bureau of Aquaculture, the
 66 Department of Energy and Environmental Protection's Office of Long
 67 Island Sound Programs, and the Army Corps of Engineers may subject
 68 any such licensee to the requirements of sections 22a-359 to 22a-363f,
 69 inclusive, of the general statutes.

70 (c) Any such license or license renewal, issued pursuant to this
 71 section, shall require the licensee to make a good faith effort to
 72 cultivate and harvest seaweed from the licensed area. Any licensee
 73 who fulfills all of his or her obligations pursuant to said license, upon
 74 the expiration of said license, shall be given preference by the
 75 commissioner in the relicensing of such ground for a like term and
 76 purpose as that granted in the original license. The commissioner shall

77 not renew the license of any licensee who fails to remit the license fee
 78 required pursuant to this section. No application for the renewal of a
 79 license pursuant to this section shall be granted without notice or
 80 advertisement of the pendency thereof by the commissioner. No
 81 renewal of a license for grounds previously leased pursuant to this
 82 section shall be granted when the commissioner, for cause, determines
 83 to cease licensure of such grounds for seaweed culture.

84 (d) In no instance shall the Commissioner of Agriculture grant a
 85 license to cultivate seaweed pursuant to this section such that the grant
 86 of such license interferes with an established right of fishing or an
 87 established right of shellfishing. Any license issued pursuant to this
 88 section that interferes with an established right of fishing or an
 89 established right of shellfishing shall be void.

90 (e) Any person who interferes with, annoys or molests another in
 91 the enjoyment of any license issued pursuant to this section shall be
 92 fined not more than five hundred dollars or imprisoned not more than
 93 six months or both.

94 (f) The Commissioner of Agriculture may adopt regulations,
 95 pursuant to chapter 54 of the general statutes, to implement the
 96 provisions of this section.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 22-11i |
| Sec. 2 | <i>from passage</i> | New section |

Statement of Purpose:

To encourage the growth of aquaculture industry related jobs.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]